

## **January 22, 2008 - Regular Town Council Meeting**

**At a Regular Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Tuesday, January 22, 2008 at 7:00 P.M.**

**Council President Paul M. Rodrigues, arrives at 7:15 P.M.**

**Vice Chair Shirley R. Mello, Presiding**

**Councillor Barbara A. Barrow**

**Councillor Louis P. DiPalma**

**Councillor M. Theresa Santos**

**Councillor Robert J. Sylvia, Members Present**

**Councillor Edward J. Silveira, Jr., Absent**

## **CONSENT CALENDAR**

**Vice Chair Mello requested that items #1 thru #12 be heard under the rules of the Town Council portion of the docket and item #22 be heard at the end of the docket.**

**Councillor DiPalma requested that item #19 be heard under the rules of the Town Council portion of the docket.**

### **1. Approval of Minutes – Special Meeting, November 5, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

### **2. Approval of Minutes – Special Meeting, November 5, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**3. Approval of Minutes – Regular Meeting, November 5, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**4. Approval of Minutes – Special Meeting, November 19, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**5. Approval of Minutes – Special Meeting, November 19, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**6. Approval of Minutes – Regular Meeting, November 19, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**7. Approval of Minutes – Special Meeting, November 20, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**8. Approval of Minutes – Special Meeting, November 26, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**9. Approval of Minutes – Regular Meeting, December 3, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**10. Approval of Minutes – Special Meeting, December 9, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**11. Approval of Minutes – Special Meeting, December 10, 2007**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**12. Approval of Minutes – Regular Meeting, January 7, 2008**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to approve said minutes.**

**13. Applications received from the following named persons, firms and corporations for RENEWAL of Drain Layers Licenses for the 2008-2009 licensing year. (See Attached List)**

**On motion of Councillor Santos, duly seconded, it was voted**

**unanimously to grant said renewals.**

**14. Application of Michael S. Fisher, dba Bumpers Billiard Center, 999 West Main Road, for RENEWAL of Billiards License for the 2008-2009 licensing year.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to grant said renewal.**

**15. Application of Michael S. Fisher, dba Bumpers Billiard Center, 999 West Main Road, for RENEWAL of license authorizing Sunday Operation of Billiards Center for the 2008-2009 licensing year.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to grant said renewal.**

**16. Memorandum of Council President Rodrigues, re: Request for submittal of names for Town Administrator Search Committee.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.**

**17. Memorandum of Interim Town Administrator, re: Tax Collector's Report for period ending December 31, 2007.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.**

**18. Memorandum of Interim Town Administrator, re: Recreation Master Plan schedule.**

**On motion of Councillor Santos, duly seconded, it was voted**



**unanimously to receive said memorandum.**

**19. Memorandum of Interim Town Administrator, with enclosures,  
re: NRS's report – Property located behind Forest Avenue School.**

**On motion of Councillor Santos, duly seconded, it was voted  
unanimously to receive said memorandum.**

**Antone Viveiros, 110 Indian Hill Road, addressed the Council  
requesting the Town to keep the area open space.**

**20. Memorandum of Interim Town Administrator, with enclosures,  
re: Recommending Council to support School Superintendent's  
legislature request for increased group home funding.**

**On motion of Councillor Santos, duly seconded, it was voted**

**unanimously to receive said memorandum.**

**21. Resolution of the Council, re: Supporting increased group home funding.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to pass said resolution.**

**22. Memorandum of Interim Town Administrator, with enclosures, re: Fiscal Year 2007 Audit.**

**It was requested by Vice Chair Mello to discuss this item at the end of the Town Council docket.**

**23. Memorandum of Interim Town Administrator, with enclosures, re: Adoption of Town of Middletown Employee Handbook/Policies.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.**

**24. Resolution of the Council, re: Adoption of Town of Middletown Employee Handbook/Policies.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to pass said resolution.**

**25. Notice of Public Hearing received from Zoning Board of Review, Application of Newport Landings, LLC, for a special use permit from Sections 1211, Table 12-3 to allow a 24 square ft. freestanding sign on real estate located at Coddington Highway, TAP 107SW, Lot 1.**

**On motion of Councillor Santos, duly seconded, it was voted**

**unanimously to receive said notice.**

**26. Communication of Nancy L. Freeman, Senior Environmental Scientist, Office of Water Resources, RI Dept. of Environmental Management, re: Freshwater wetlands permit modification for Lot 24A, TAP 112, Oliphant Lane – Potter League for Animals.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.**

**27. Communication of Charles A. Horbert, Permitting Supervisor, Office of Water Resources/Permitting Section, RI Dept. of Environmental Management, re: Freshwater wetlands permit modification for Lots 3, 3A, 3B and 5, TAP 113, approximately 200 feet south of the intersection of Forest Avenue and Winfield Court.**

**On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.**

## **TOWN COUNCIL**

- 1. Resolution of the Council, re: Commendation for 2007 Middletown High School Girls Volleyball Team, Division III State Champions.**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to continue this matter to February 4, 2008, the next regular meeting of the Council.**

- 2. Email communication of Councillor Santos, re: Recent fire on Tuckerman Avenue.**

**On motion of Councillor DiPalma, duly seconded, it was voted unanimously to receive said email communication.**

**Councillor Santos thanked Fire Chief Stephen Martin and the Department for their quick response to the recent fire on Tuckerman Avenue.**

**3. Communication of Vice Chair Mello, re: Status of Green End/Paradise Avenue intersection.**

**On motion of DiPalma, duly seconded, it was voted unanimously to receive said communication.**

**Vice Chair Mello requests the project to be revisited pertaining to a possible four way stop at that intersection.**

**Council President Rodrigues, Presiding at 7:15 P.M.**

**4. Memorandum of Interim Town Administrator, with enclosures, re: Status update Pavement Management Plan.**

**On motion of DiPalma, duly seconded, it was voted unanimously to receive said memorandum.**

**Interim Town Administrator Shawn Brown reviewed the Pavement Management Plan.**

**Town Engineer Warren Hall addressed the Council noting that an inventory of all roads throughout the entire Town has been completed. The next steps are to evaluate the condition of each road and place them into categories according to their condition. The final report will be presented to the Council, following the review by the Roads and Utilities Committee in February.**

**5. Appointment of (1) member to the Information Technology**

**Advisory Committee, for a term expiring September 2008.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to appoint George H. Steele to said board, for a term expiring in September 2008.**

**6. Discussion of FY2008 State of Rhode Island Supplemental Budget.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive FY2008 State of Rhode Island Supplemental Budget for discussion.**

**Council President Rodrigues noted concern that this budget could be costly to the Town of Middletown.**



**Interim Town Administrator Shawn Brown noted the Governor would be cutting approximately \$171,200. Mr. Brown reviewed the following Preliminary Recommendation – Budget transfers to offset State reduction in General Revenue Sharing and MV Phaseout FY 2008 entered here:**

**Item # 22 – From Consent Calendar**

**Memorandum of Interim Town Administrator, with enclosures, re: Fiscal Year 2007 Audit.**

**Interim Town Administrator Shawn Brown reviewed the memorandum entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said memorandum.**

**Antone Viveiros, 110 Indian Hill Road, noted that he is glad that the Town is addressing the shortfall in the state budget. Mr. Viveiros also noted concern with the Audit pertaining to the reserve fund balance.**

## **PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**No one addressed the Council during this session.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to adjourn this meeting at 8:00 P.M.**

**Wendy J.W. Marshall, CMC**

**Council Clerk**

**Wendy J. W. Marshall, CMC**

**Town Clerk**